

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

VIVIAN BURNS,

Plaintiff,

v.

RICARDO MARTINEZ et al.,

Defendants.

CASE NO. 2:24-cv-01826-LK

ORDER DEFERRING  
CONSIDERATION OF REPORT  
AND RECOMMENDATION

This matter comes before the Court *sua sponte*. On November 5, 2024, Plaintiff Vivian Burns filed an application for leave to proceed *in forma pauperis* (“IFP”). Dkt. No. 1. On November 8, 2024, the Clerk sent Ms. Burns a Notice of Filing Deficiency, noting that not all sections of the IFP application were “completed, signed, and dated.” Dkt. No. 4 at 1. This Notice was sent to Ms. Burns at 10605 SE 240th Street, No. 344, Kent, WA 98301, *id.*, which was, at the time, the address on file for Ms. Burns in this matter.

On December 16, 2024, United States Magistrate Judge Brian A. Tsuchida issued a Report and Recommendation (“R&R”), recommending that the Court deny Ms. Burns’ IFP application and direct Ms. Burns to either submit a completed IFP application or pay the usual filing fee within

1 14 days of the adoption of the R&R. Dkt. No. 6 at 2. A copy of the R&R was sent to Ms. Burns at  
2 the SE 240th Street address. However, both the Notice of Filing Deficiency and the R&R were  
3 returned as undeliverable, with stamps indicating that Ms. Burns was no longer at that address.  
4 Dkt. Nos. 5, 7.

5 Because Ms. Burns' filings list her address as 1229 W. Smith Street, Kent, WA 98302, *see*  
6 Dkt. No. 1-2 at 1-15; Dkt. No. 1-3 at 1; Dkt. No. 1-4 at 1, the Court DIRECTS the Clerk to send  
7 copies of the Notice of Filing Deficiency, the R&R, and this Order to Ms. Burns at that address.  
8 Ms. Burns is ORDERED to correct her address and any filing deficiencies within 14 days of this  
9 Order. Failure to do so will result in dismissal. In the meantime, the Court DEFERS its ruling on  
10 the R&R.

11 Dated this 15th day of January, 2025.

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Lauren King  
14 United States District Judge  
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